KADUR DISTRICT.

Notification No. A1.—2710-30—137.

(Prescribed in Government Order No. R. 4355-66—R. M. 5-29-63, dated 3rd February 1931 and R. 4730-42—R. M. 5-29-44, dated 20th February 1931).

NOTIFICATION FOR THE SALE OF THE RIGHT OF COLLECTING TOLLS.

The right to collect tolls at the toll-gate as noted in Schedules A and B during the official year 1931-32, will be sold by public auction at the place and on the date specified against each gate.

2. Every person intending to bid at the sale should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all the bidders except the first two or three, whose bids are to be recommended for acceptance will be returned at the close of the sale. The deposit of the successful bidder who will be called the contractor will be returned only on fulfilment of the contract. The deposits of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A, who reserves the final power of refusing or accepting without assigning any reason whatever the highest or any bid that may be offered.

4. The successful tenderer shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and when he does not hold property in Mysore, shall furnish at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract and if he is a non-resident foreigner, he shall be deemed to have agreed to submit himself to the jurisdiction of the Civil Courts in Mysore and to be bound by any decree, *ex-parte* or otherwise that may be passed against him by such Courts for any sums due in respect of the contract amount.

5. The contract shall not be transferred by sale, gift or otherwise or sub-lease, without the previous sanction of the Deputy Commissioner.

6. The contract amount shall be paid in 12 equal monthly instalments in advance on the 1st day of every month into the Taluk Office. The contractor shall also pay along with the instalments, the authorised Local, Railway and Educational cesses, if any, at the prescribed rates.

7. Fees recovered from persons compounding the payment of toll in accordance with standing rules and orders approved by Government shall be kept at the credit of the contractor and adjusted in account towards the last instalment or instalments, as the case may be.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till date of payment.

9. The amount due from the contractor or his sureties shall be recoverable as if they were arrears of land revenue under the provisions of Land Revenue Regulation and the rules thereunder.

10. The contractor shall collect tolls only at the rates and the gates on the traffic specified in Schedules A and B.

11. The contractor shall keep to the person paying the toll a proper receipt showing the date and hour of payment of toll.

12. The contractor shall give at the toll-gate true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Deputy Commissioner, the Sub-Division Assistant Commissioner and the Amildar. He shall, if required by the Deputy Commissioner, furnish to the Taluk Office, at the end of every month, a true return for the month showing the traffic passing through the gate in a prescribed form.

13. The contractor will have the use of the existing toll house and gate without payment of any rent, and he should keep them in good repair, failing which the cost of repair will be recovered from the contractor.

14. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

15. The contractor and his employees shall always behave courteously towards the travelling public and shall not harass them or give them trouble of any kind and he shall maintain at the toll-gate a book, wherein travellers may record complaints, and forward true extracts thereof once a week to the Amildar.

16. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated 4th November 1876, as revised from time to time. He shall recognise all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the points mentioned in Schedule C.

17. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 per each infringement. If the fine be not paid or in the event of instalments or other sums due not being paid within the prescribed date, it shall be competent to the Deputy Commissioner, to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the resale.

NOTE.—Sub-Division Assistant Commissioners are also empowered to punish the contractor or his servants for any breach of the above conditions or rules either by the levy of fine or by a forfeiture of the deposits. But the power to suspend the collection of toll as well as the right to order its re-sale shall be reserved to the Deputy Commissioner.

18. The imposition of fine or re-sale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

19. Bidders shall abide by the conditions of the sale set out below which shall be deemed to form part of this notification.

CONDITIONS OF SALE.

1. Persons intending to bid at the sale must attend in person or by a duly accredited Agent.

2. The amount by which the bid are to be increased shall be determined by the officer conducting the sale. In the event of any dispute arising as to the amount of the bid or as to the bidder, the right to collect tolls at the toll-gate concerned shall at once be again put up to auction.

3. The officer conducting the sale shall not be bound to accept all bids as a matter of course, it shall be in his discretion to decline the acceptance of the highest bid or any bid whatever.

4. It shall be in the discretion of the officer conducting the sale to adjourn it to a date and hour specified by him.

SCHEDULE A.

Name of toll-gate or bride	Situation of the gate	Whether toll is to be levied on through traffic, in-coming traffic or out-going traffic	Traffic specially exempted from payment of toll on account of the peculiar situation of the toll-gate or the special requirements of the people near the toll-gate	Amount of deposit required	Place of sale	Date of sale	Officer conducting the sale	Officer confirming the sale
1. Kottegehar (Bhund ghat Mudgere)	Bhund ghat	Toll to be levied on all traffic specified in Schedule B.	*Vide* Rules (b) to (h) of Schedule "C."	Rs. 850 588	Taluk Office Chikmagalur	6th May 1931. Wednesday.	The Deputy Commissioner or an Assistant Commissioner deputed by him for the purpose.	The Revenue Commissioner in Mysore.

SCHEDULE B.

SCHEDULE OF MAXIMUM RATES OF TOLLS.

		Rs.	a.	p.
1.	(*a*) On every four wheeled motor vehicle constructed to carry less than ten persons	7	0	0
	(Composite fee in respect of the above) per annum	200	0	0
	(*b*) On every other four wheeled motor vehicle	2	0	0
	(Composite fee in respect of the above) per annum	400	0	0
2.	On motor cycle with or without side car	0	4	0
3.	On every four wheeled carriage	0	8	0
4.	Do two wheeled carriage on springs other than a jatka or ekka	0	4	0
5.	Do ekka or jatka, laden	0	2	0
6.	Do do unladen	0	1	0
7.	Do other vehicle on springs including tricycle and bicycle	0	2	0
8.	Do cart or other vehicle drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if laden	1	0	0
9.	Do do do do if not laden	0	8	0
10.	Do cart or other vehicle drawn by six bullocks, buffaloes, horses, ponies, asses or mules, if laden	0	8	0
11.	Do do do do if not laden	0	4	0
12.	Do cart or other vehicle drawn by four bullocks, horses, buffaloes, ponies, asses or mules, if laden	0	6	0
13.	Do do do do if not laden	0	3	0
14.	Do cart or other vehicle drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if laden	0	4	0
15.	Do do do do if not laden	0	2	0
16.	Do cart or other vehicle drawn by a single bullock, buffalo, horse, ass or mule, if laden	0	2	0
17.	Do do do do if not laden	0	1	0
18.	On every buffalo or bullock per head if laden.	0	1	0*
19.	Do do do do if not laden	0	0	6*

*N.B.—Toll will be levied on bullocks and buffaloes passing out of Mysore to the neighbouring British Provinces for or by way of sale.

SCHEDULE C.

RULES RELATING TO TOLLS ON STATE FUND ROADS AS IN FORCE FOR THE TIME BEING.

(*a*) A table of authorised tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near the toll-gate, together with a copy of these rules.

(*b*) (1) No more than one payment of toll shall be demanded at any one toll-bar, gate or station in respect of any carriage or cart in any one period of 24 hours.

(2) No toll should be levied at a frontier toll-gate in Mysore on any cart, etc., passing the gate if within a period of 24 hours, a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British Authorities.

(*c*) Carts laden with manure or other substance used as manure, shall be exempt from payment of toll at all the interior toll-gates and shall pay at the rate prescribed for unladen carts at all frontier toll-gates provided that no toll shall be levied on carts belonging to agriculturists residing within 5 miles of the toll-gates when such carts are carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note.—Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the village to which the cart belongs.

(*d*) No toll shall be levied on foot passengers.

(*e*) No toll shall be levied for the passage of troops, or military stores or equipages or of Police Officers in uniform on duty or of any person or property in their custody or of any property *bona fide* belonging to Government, the proof of which should be established by the production of a pass or certificate from any officer of the department to which the property belongs, such officer being duly authorised by the Deputy Commissioner or by Government to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the cart, or carriage conveying such property before it reaches the destination noted in such pass or certificate.

(*f*) No toll shall be levied for the passage of carriages or carts, etc.. at any toll-gate if they belong to a Local Board or Municipal Council, the proof of which is to be established by the production of a certificate signed by the President of such body or by such officer as may be authorised by the Government.

(*g*) No toll shall be levied for the passage of carriages or carts, etc., if—

(1) they belong to His Highness the Maharaja or His Highness the Yuvaraja ;

(2) they belong to the Hon'ble the British Resident in Mysore and his staff, namely, the Secretary to the Resident, the Residency Surgeon, and the Personal Assistant to the Resident;

(3) they belong to the Dewan of Mysore ;

(4) they are engaged by the Postal Department exclusively to carry mails;

(5) they belong to a person who has compounded with the proper authority in accordance with the rules framed by Government.

(6) they convey British or Mysore Military Officers on duty;

Note.—(a) To entitle an officer to pass a toll-gate without payment as being on duty he must fulfil at least one of the three following conditions:—

(i) be travelling in a staff car,

(ii) be wearing uniform, or

(iii) be in possession of the Toll Pass issued by Headquarters, Madras District, or the Chief Commandant, Mysore State Troops as the case may be.

(7) they belong to the heads of the Mutts who hold a Rahadari issued by a competent authority;

(8) they belong to the Officers and subordinates of the Public Works Department below the grade of Executive Engineers who travel on duty within their jurisdiction.

(*h*) No toll shall be levied on any conveyance used for ambulance purpose.

C. S. KUPPASWAMI IYENGAR,
Deputy Commissioner,
Kadur District.